IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL FROM ORDER NO. 36/2004

Mrs. Michele Fernandes alias Michele e De Lahaye. ..... Appellant.

V/s.

Luis de Maria Bernardo Remo Fernandes and others. ..... Respondents.

Mr. Valmiki Menezes, Advocate for the appellant.

Mr. J. Godinho, Advocate for respondent No.1.

Mr. S. Karpe, Advocate for respondents No.2 and 3.

CORAM : A.P. LAVANDE, J.

DATE : 13th April, 2005

P.C.

Heard Mr. Menezes, learned Counsel for the appellant, Mr. Godinho, learned Counsel for respondent No.1 and Mr. Karpe, learned Counsel for respondents No.2 and 3. This appeal is directed against Order dated 12.4.2004, refusing to grant extension of ad interim ex-parte order granted in favour of the appellant who is the plaintiff in matrimonial petition No.24/2004/C, pending before the Civil Judge, Sr. Division, `C' Court, Mapusa in Civil Misc. Application No.170/2004/C

2. In Civil Misc. Application No.170/2004/C, the trial Court

had granted ex-parte injunction in favour of the petitioner who is the plaintiff in the said suit on 8.4.2004, which was refused to be extended by order dated 12.4.2004. It is an admitted position that Civil Misc. Application No.170/2004/C has not yet been disposed of by the trial Court. The learned Counsel appearing for the appellant submitted that the trial Court be directed to dispose of Civil Misc. Application No.170/2004/C within a reasonable time. The learned Counsel appearing for the respondents have no objection if such a direction is given.

3. I find that the request made by the learned Counsel appearing on behalf of the appellant is reasonable and at this stage, it would be appropriate to direct the trial Court to dispose of the injunction application within a reasonable time. The learned Counsel appearing on behalf of the appellant states that the matter is now posted for arguments on 7.5.2005.

4. Accordingly, the learned Civil Judge, Sr. Division, `C' Court Mapusa is directed to dispose of Civil Misc. Application No.170/2004/C on or before 15th June, 2005, after hearing the parties.

The appeal is disposed of in the aforesaid terms.

A .P. LAVANDE, J.

ssm